

REMARKS

The claims remaining in the present application are Claims 1-24. The Examiner is thanked for performing a thorough search. Claims 1, 10-13 and 22-24 have been amended. No new matter has been added. For example, support for amendments to the independent Claims 1 and 13 can be found among other places in the instant application serial no. 10/613,905 at line 25 on page 18 to line 10 on page 19. Line 25 on page 18 to line 10 on page 19 of the instant application state,

Figures 5A and 5B illustrate one embodiment in accordance with the present invention. Specifically, service location manager 302 can be used to move a media streaming session (indicated by dashed oval 506) from one media service node (e.g., 202 shown in Figure 5A) to a separate media service node (e.g., 204 shown in Figure 5B) which can be referred to as a handoff. For example, if service node 202 determines it needs to handoff the streaming media session (or if some other component of network 300 determines this), this information can be communicated to the SLM 302. The SLM 302 can then at that time compute the service node loads, the network 300 load, etc. in order to figure out which service node to handoff that particular streaming session. In this manner, a pre-defined handoff node does not need to be determined. Instead, it is determined on-the-fly by SLM 302. As such, the best media service node that can perform the desired service is chosen by the SLM 302. Then the handoff may occur in a manner similar to that described in Figures 6, 7, 8A and 8B. It is noted that how the handoff is performed can be specific to the type of service being performed by the initial service node (e.g., 202).

CLAIM OBJECTIONS

In paragraph 1, the Office Action objected to Claim 1 for missing a comma between the words "components" and "enabling." Applicants have amended Claim 1. Therefore, Applicants believe that this objection has been addressed.

In paragraph 2, the Office Action objected to Claims 10 and 22 for reciting "to enabling." Claims 10 and 22 have been amended to recite "to enable." Therefore, Applicants believe that these objections have been addressed.

CLAIM REJECTIONS

35 U.S.C. §112

Claims 11, 12, 23 and 24

In paragraph 4, the Office Action rejected Claims 11 and 23. Claims 11 and 23 have been amended to recite "socket enables..." In paragraph 7, the Office Action rejected Claims 12 and 24. Claims 12 and 24 have been amended to recite

"socket enables..." Therefore, Applicants believe that these rejections have been addressed.

35 U.S.C. §102

Claims 1-2, 5-10, 13-14, and 17-22

Claims 1-2, 5-10, 13-14 and 17-22 are rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,407,680 by Lai et al. (referred to hereinafter as "Lai"). Applicants respectfully submit that embodiments of the present invention are neither taught nor suggested by Lai.

Amended independent Claim 1 recites,

A method for managing a streaming media service, said method comprising:
receiving a request for a streaming media service from a client, said streaming media service comprising a plurality of media services components;

determining which media service component of said plurality of media services components to assign to a service node of a plurality of service nodes of a network;

informing each service node assigned to perform a media service component of said plurality of media services components, enabling said streaming media service to be performed on a streaming media; and

reassigning the determined media service component to a different service node selected from the plurality of services nodes while continuing to provide the streaming media to the client.

Lai does not teach or suggest, among other things, "reassigning the determined media service component to a different service node selected from the plurality of services nodes while continuing to provide the streaming media to the client," as recited by Claim 1. For example, the Office Action asserts that Lai's transcoding, transmitting and streaming, which are performed by a transcoding engine teach Claim 1's "...said streaming media service comprising a plurality of media services components." The Office Action asserts that Lai's machine farm 216 teaches Claim 1's "service nodes." However, Lai does not teach reassigning transcoding, transmitting or streaming from of Lai's farms to another of Lai's farms while continuing to provide the streaming media to a client.

For the forgoing reasons, Claim 1 should be patentable over Lai. For similar reasons independent Claim 13 should be patentable over Lai. Claims 2-12 depend on independent Claim 1. Claims 14-24 depend on Independent Claim 13. These dependent claims include all of the limitations of their respective independent


claims. Therefore, these dependent claims should be patentable for at least the reasons that their respective independent claims should be patentable.

CONCLUSION

In light of the above listed amendments and remarks, reconsideration of the rejected claims is requested. Based on the arguments and amendments presented above, it is respectfully submitted that Claims 1-24 overcome the rejections of record. For reasons discussed herein, Applicants respectfully request that Claims 1-24 be considered by the Examiner. Therefore, allowance of Claims 1-24 is respectfully solicited.

Should the Examiner have a question regarding the instant amendment and response, the Applicants invite the Examiner to contact the Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,
WAGNER BLECHER LLP



John P. Wagner Jr.
Registration No. 35,398

Dated: 08/03/2007

Address:

Westridge Business Park
123 Westridge Drive
Watsonville, California 95076 USA

Telephone:

(408) 377-0500 Voice
(408) 234-3649 Direct/Cell
(831) 722-2350 Facsimile